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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)

WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

22386 U.S.P.T.O.
10/724391
120103

Mail Stop Patent Application

Atty. Dkt. 4147-53

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Date: December 1, 2003

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

METHOD FOR ACCESS SELECTION

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:

30 pages of specification and claims (including 29 numbered claims), and
7 sheets of accompanying drawing/s.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

| Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
|--------------------|---------|----------------------|

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on _____ in prior application no. _____ filed _____

☒ This application claims the benefit of Provisional Application No. 60/466,422, filed 30 April 2003, the entire content of which is hereby incorporated by reference in this application.

☐ This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. _____, filed _____,

the entire content of which is hereby incorporated by reference in this application.

☐ Petition filed in prior application to extend its life to insure co-pendency.

☐ The prior application is assigned to _____

☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

| | | | | | |
|----|-------------------|--|----|-----------------|---------------|
| 1. | Inventor: | Eva | | GUSTAFSSON | Swedish |
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| 2. | Inventor: | Jurgen | | SAUERMAN | German |
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☒ See attached sheet(s) for additional inventor(s) information!!

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NOTE: FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

Nixon & Vanderhye PC.

ATTORNEYS AT LAW

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December 1, 2003

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VIA FACSIMILE/THEN CONFIRMATION BY AIR MAIL

Ms. Irene Ohlsson
AROS PATENT AB
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P.O. Box 1544
SE-751 45 Uppsala, SWEDEN

Subject: New U.S. Patent Application of GUSTAFSSON, E. et al.
Corresponds to: US 60/466,422 filed 30 April 2003
Your Ref.: PE18264US01/HAS/IO; Our Ref.: 4147-53

Dear Ms. Ohlsson:

This will confirm that we have filed the subject application in the USPTO on December 1, 2003 without signature documents. The formal filing receipt will follow in due course.

We have enclosed a suitable inventor's declaration and assignment for this case. Ultimately we will receive a Notice to File Missing Parts/Notice of Missing Requirements setting a due date for filing the declaration (with a surcharge), but this due date can be extended if necessary. Please bear in mind, however, that according to changes in the U.S. patent laws, Applicant's delay in filing the declaration more than 3 months beyond the date of the Notice will be used to offset a possible patent term extension due to prosecution delays by the US Patent Office. Therefore, please return the executed declaration and assignment as soon as possible. Facsimile copies of the executed declaration and assignment documents are acceptable.

We take this opportunity to remind you that under U.S. law, it is the duty of the applicant(s) and all others involved in the preparation or prosecution of a U.S. patent application, to promptly disclose to the U.S. Patent and Trademark Office any relevant matters known to them, including closely related patents, publications, pending applications, public uses and sales, which are material to the patentability of the claimed invention. If such matters are not disclosed within (a) three months after filing or (b) before the first Official Action or (c) within three months after first learning of such information, an extra PTO fee of \$180.00 must be paid. Please, therefore, immediately provide us with copies of any such information plus a concise explanation of its relevance to the claimed invention if other than in the English language.


Ms. Irene Ohlsson
December 1, 2003
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This is a continuing duty and should relevant information, such as pertinent references newly cited in corresponding application(s) filed in other countries, become known in the future, we should be promptly notified.

Very truly yours,

NIXON & VANDERHYE P.C.

By:


H. Warren Burnam, Jr.

HWB:ecb
Enclosures - w/confirmation copy sent via air mail